

June 23, 1993

Introduced by  
Proposed No.

SULLIVAN  
93-11

ORDINANCE NO. **11017**

AN ORDINANCE relating to the division of land and providing a binding site plan procedure for the division of commercially and industrially zoned property as an alternative to the subdivision and short subdivision process; providing for final decision by the director of the department of development and environmental services; amending Ordinance 6465, Section 1; Ordinance 2097, Section 1, as amended; Resolution 11048, Section 2 (part), as amended; and K.C.C. 17.04.010, K.C.C. 19.04.084, 19.08.010; and adding a new section to K.C.C. 19.04.

PREAMBLE:

A binding site plan is an alternative means of dividing properties zoned commercial and industrial into lots, as provided for in RCW 58.17.035. Binding site plans facilitate financing of developments by creating separate lots for individual ownership. An application for binding site plan may be accepted for fully developed sites or concurrently with an application for a commercial site development permit on undeveloped sites.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

NEW SECTION. SECTION 1. A new Chapter is added to K.C.C.

Title 19 as follows:

Purpose. The purpose of this chapter is to create a permit for dividing commercially and industrially zoned property, as authorized by RCW 58.17.035. On sites which are fully developed, the binding site plan merely creates or alters interior lot lines. In all cases the binding site plan ensures, through written agreements among all lot owners, that the collective lots continue to function as one site concerning but not limited to: lot access; interior circulation; open space; landscaping and drainage; facility maintenance; and coordinated parking.

NEW SECTION. SECTION 2. Applicability. A. Any person seeking the use of a binding site plan to divide his or her property for the purpose of sale, lease or transfer of ownership of commercially or industrially zoned property is required to apply for, complete and have approved a binding

1           B. An approved commercial site development permit; or, a  
2 proposed site plan prepared by a professional land surveyor,  
3 licensed in the state of Washington, in a form prescribed by  
4 the director. At a minimum, the proposed site plan shall  
5 include:

- 6           1. the location and size of all proposed lots;
- 7           2. proposed and existing structures including  
8 elevations and floor plans as known, (plans which show building  
9 envelopes rather than footprints must include post-construction  
10 treatment of unoccupied areas of the building envelopes);
- 11          3. all proposed or existing uses;
- 12          4. the location of proposed or existing open space  
13 including any required landscaped areas;
- 14          5. the location and identification of critical areas;
- 15          6. the layout of an internal vehicular and pedestrian  
16 circulation system, including proposed ingress and egress for  
17 vehicles;
- 18          7. the number and location of proposed or existing  
19 parking spaces on and off the site;
- 20          8. a drainage plan which will accommodate the maximum  
21 proposed square footage of impervious surface and the maximum  
22 proposed square footage of impervious surface exposed to  
23 vehicular use, subject to the requirements of the King County  
24 Surface Water Design Manual, adopted by rule under the  
25 procedures specified in K.C.C. 2.98;
- 26          9. the location and size of utility trunk lines serving  
27 the site;
- 28          10. the location and size of water bodies and drainage  
29 features, both natural and manmade;
- 30          11. a grading plan showing proposed clearing and tree  
31 retention and the existing and proposed topography, detailed to  
32 five-foot contours, unless smaller contour intervals are  
33 otherwise required by the King County Code or rules and  
34 regulations promulgated thereunder;

1 if the binding site plan is being considered with a commercial  
2 site development plan.

3 B. The binding site plan shall contain applicable  
4 inscriptions or attachments setting forth limitations and  
5 conditions to which the plan is subject, including any  
6 applicable irrevocable dedications of property and containing a  
7 provision requiring that any development of the site shall be  
8 in conformity with the approved site plan.

9 C. The director may modify lot-based or lot line  
10 requirements contained within the building, fire and other  
11 similar uniform codes adopted by the county.

12 D. The director may authorize sharing of open space,  
13 parking, access and other improvements among contiguous  
14 properties subject to the binding site plan. Conditions of  
15 use, maintenance and restrictions on redevelopment of shared  
16 open space, parking, access and other improvements shall be  
17 identified on the binding site plan and enforced by covenants,  
18 easements or other similar mechanisms.

19 E. The decision of the director shall be final.

20 NEW SECTION. SECTION 5. Recording and binding effect.

21 A. Prior to recording, the approved binding site plan  
22 shall be surveyed and the final recording forms shall be  
23 prepared by a professional land surveyor, licensed in the state  
24 of Washington. Surveys shall include those items prescribed by  
25 R.C.W. 58.09.060, Records of survey, contents - Record of  
26 corner, information;

27 B. The approved binding site plan recording forms shall  
28 include the following, in the format prescribed by the  
29 director:

30 1. Lots designated by number on the binding site plan  
31 within the area of the lot. Tracts shall be similarly  
32 designated and each tract shall be clearly identified with the  
33 ownership and purpose;

34 2. Signature and stamp of the land surveyor who  
35 prepared the binding site plan;

1 same laws, rules and conditions as required for a new binding  
 2 site plan application, as set forth in this chapter. If a  
 3 portion of a binding site plan is vacated, the property subject  
 4 to the vacated portion shall constitute one (1) lot unless the  
 5 property is subsequently divided by an approved subdivision or  
 6 short subdivision.

7 SECTION 7. Administrative rules. The director may  
 8 promulgate administrative rules and regulations, pursuant to  
 9 K.C.C. 2.98, to implement the provisions and requirements of  
 10 this chapter.

11 SECTION 8. Ordinance 2097, Section 1, as amended and  
 12 K.C.C. 17.04.010 are each hereby amended to read as follows:

13 Adoption. The Uniform Fire Code 1991 Edition, and the  
 14 Uniform Fire Standards, 1991 Edition, as published by the  
 15 Western Fire Chiefs Association and the International  
 16 Conference of Building Officials, with Appendices, as amended  
 17 in WAC 51-24 and 51-25 on November 8, 1991, together with  
 18 amendments, additions, and deletions listed in the King County  
 19 modifications to the 1991 Uniform Fire Code, as amended by  
 20 Attachment "A" of Ordinance 11016 and by Attachment "A"  
 21 of Ordinance 11017, are adopted as the Fire Code of King  
 22 County, and hereinafter referred as "this code".

23 Administrative rules may be adopted in accordance with K.C.C.  
 24 2.98 to further clarify and implement these code requirements.

25 SECTION 9. Ordinance 6465, Section 1 and K.C.C. 19.04.084  
 26 are each amended to read as follows:

27 Binding site plan. A "binding site plan" is a plan ((~~of a~~  
 28 ~~residential-condominium project~~)) drawn to scale processed in  
 29 accordance with the provisions of this ((~~chapter~~)) title and  
 30 R.C.W. 58.17, which:

31 A. Identifies and shows the areas and locations of all  
 32 streets, roads, improvements, utilities, open spaces, critical  
 33 areas, parking areas, landscaped areas, surveyed topography,  
 34 water bodies and drainage features and building envelopes.

1  
2 NEW SECTION. SECTION 12. Severability. If a provision  
3 of this ordinance or its applicability to any person or  
4 circumstance is held invalid, the remainder of the provisions  
5 of this chapter or the application of the provision to other  
6 persons or circumstances shall not be affected.

7 INTRODUCED AND READ for the first time this 4<sup>th</sup> day of

8 January, 1993.

9 PASSED this 7<sup>th</sup> day of September, 1993

10 KING COUNTY COUNCIL  
11 KING COUNTY, WASHINGTON

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17 Audrey Linger  
18 Chair

19 ATTEST:

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22 Gerald A. Peterson  
23 Clerk of the Council

24 APPROVED this 17<sup>th</sup> day of September, 1993

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29  
30 Jim Hill  
31 King County Executive

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33  
34 Attachment:

35 A. Amendment to Section 2.102 of the Uniform Fire Code  
36 dated 11/19/92.  
37

## ATTACHMENT A

SECTION 2.102. RULES AND REGULATIONS. The Fire Marshal, with the approval of the administrator, is authorized to make and enforce such rules and regulations, pursuant to the provisions of King County Code 2.98, for the prevention and control of fires and fire hazards as may be necessary from time to time to carry out the intent of this code, including but not limited to:

A. Procedures to assure that building permits for structures shall conform to the requirements of this code.

B. Procedures to assure that applicable standards of this code shall be reviewed as part of the subdivision, short subdivision, planned unit development, rezone, conditional use and unclassified use, commercial site development, ((and)) commercial building permit processes and binding site plan.

C. Procedures to assure that standards published by the National Fire Protection Association including a standard known as NFPA 13R shall be applied to all R1 occupancies.